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| FORM PTO-1390<br>Rev. 10/2004  |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER<br><b>Le A 36 131</b>                      |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>         DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>         CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |  |   | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/516777</b> |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/EP03/05735</b>   | INTERNATIONAL FILING DATE<br><b>02 June 2003</b> | PRIORITY DATE CLAIMED<br><b>10 June 2002</b>            |   |
| TITLE OF INVENTION<br><b>2-Heteroaryl Carboxamides</b>   |  |   |   |
| APPLICANT(S) FOR DO/EO/US<br><b>Luithle, et al.</b>  |  |   |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |   |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> |  |   |   |
| <b>Items 11 to 20 below concern document(s) or information included:</b>   |  |   |   |
| <ol style="list-style-type: none"> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A preliminary amendment.</li> <li>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information:           <ol style="list-style-type: none"> <li>1) Certificate of Mailing under 37 C.F.R. 1.10;</li> <li>2) Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(b);</li> <li>3) Information Disclosure Citation (Modified Form PTO-1449) and copies of references cited therein; and</li> <li>4) Return Receipt Postcard.</li> </ol> </li> </ol>   |  |   |   |

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/516777</b> |  | INTERNATIONAL APPLICATION NO.<br><b>PCT/EP03/05735</b> |  | ATTORNEY'S DOCKET NUMBER<br><b>Le A 36 131</b> |  |
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|   |                  |              |                   |   |    |
|---|------------------|--------------|-------------------|---|----|
| <b>21. <input checked="" type="checkbox"/> The following fees are submitted:</b><br><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b><br>Neither international preliminary examination fee (37 CFR 1.482)<br>nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO<br>and International Search Report not prepared by the EPO or JPO. .... <b>\$ 1110.00</b><br><br>International preliminary examination fee (37 CFR 1.482) not paid to<br>USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$ 950.00</b><br><br>International preliminary examination fee (37 CFR 1.482) not paid to USPTO<br>but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$ 790.00</b><br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$ 750.00</b><br><br>International preliminary examination fee (37 CFR 1.482) paid to USPTO<br>and all claims satisfied provisions of PCT Article 33(1)-(4) ..... <b>\$100.00</b><br><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> |                  |              |                   | <b>CALCULATIONS PTO USE ONLY</b><br><br><br><br><br><br><br><br><br><br><div style="border: 1px solid black; width: 100%; height: 100%;"></div> |    |
| Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months<br>from the earliest claimed priority date (37 CFR 1.492(e)).  |                  |              |                   | \$  |    |
| CLAIMS  | NUMBER FILED     | NUMBER EXTRA | RATE              | \$  |    |
| Total claims  | <b>17</b> - 20 = | <b>0</b>     | x <b>\$18.00</b>  | <b>\$ 0.00</b>  |    |
| Independent claims  | <b>7</b> - 3 =   | <b>4</b>     | x <b>\$ 88.00</b> | <b>\$ 352.00</b>  |    |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |                  |              |                   | + <b>\$ 300.00</b>  |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |                  |              |                   | <b>\$ 1,302.00</b>  |    |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above<br>are reduced by 1/2.   |                  |              |                   | \$  |    |
| <b>SUBTOTAL =</b>   |                  |              |                   | <b>\$ 1,302.00</b>  |    |
| Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months<br>from the earliest claimed priority date (37 CFR 1.492(f)).   |                  |              |                   | \$  |    |
| <b>TOTAL NATIONAL FEE =</b>   |                  |              |                   | <b>\$ 1,302.00</b>  |    |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be<br>accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +  |                  |              |                   | \$  |    |
| <b>TOTAL FEES ENCLOSED =</b>  |                  |              |                   | <b>\$ 1,302.00</b>  |    |
|   |                  |              |                   | Amount to be<br>refunded:   | \$ |
|   |                  |              |                   | charged:  | \$ |

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. **13-3372** in the amount of \$ **1,302.00** to cover the above fees.  
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. **13-3372**. A duplicate copy of this sheet is enclosed.

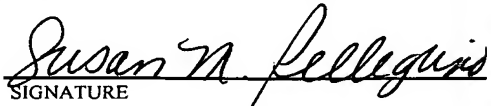
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)  
or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO: **Customer No. 35969**

**Jeffrey M. Greenman**  
**Bayer Pharmaceuticals Corporation**  
**400 Morgan Lane**  
**West Haven, CT 06516**

  
 SIGNATURE  
**Susan M. Pellegrino**  
 NAME  
**48,972**  
 REGISTRATION NUMBER

10/516777

DT12 PCT/PTO 0 2 DEC 2004

Attorney's Docket No. Le A 36 131

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Luithle, et al.

Serial No.: [to be assigned] National Stage Filing of PCT/EP03/05735

Filed: herewith

For: 2-Heteroaryl Carboxamides

MAIL STOP PCT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR 1.10I hereby certify that the *attached* correspondence comprising:

- ☒ Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 371 [IN DUPLICATE];
- ☒ Application Data Sheet under 37 C.F.R. 1.76;
- ☒ Preliminary Amendment;
- ☐ Original oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4));
- ☒ English Translation of the Application (35 U.S.C. 371(c)(2));
- ☒ Copy of the International Application as filed (35 U.S.C. 371(c)(2));
- ☒ Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 consisting of Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(b), Information Disclosure Citation (Modified Form PTO-1449) and copies of references cited therein;
- ☒ Return Receipt Post Card;
- ☐ Other:

is, on the date shown below, being deposited with the United States Postal Service, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ED014822324US addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 3, 2004

Date

  
Signature of Person Certifying / Susan Pellegrino